

**Town of Shrewsbury - Board of Selectmen  
Richard D. Carney Municipal Office Building-Selectmen's Meeting Room  
100 Maple Avenue  
Monday, December 4, 2006 at 7:00 PM**

**Minutes**

**Present:**

Bruce Card, Maurice DePalo, Thomas Fiore, John Lebeaux, James McCaffrey, and Daniel Morgado, Town Manager. Mr. Lebeaux called the meeting to order at 7:03pm.

**Preliminaries:**

1. Approve bills, payrolls and warrants, #0743 in the amount of \$338,752.14, and #0746 in the amount of \$917,672.60. Motion made, seconded and unanimously approved.
2. Approve minutes of November 13, 2006, November 20, 2006, and November 27, 2006. Motion made, seconded and unanimously approved.
3. Announcements – Mr. Fiore advised that the Fiscal Study Committee held a public hearing on Thursday, November 30<sup>th</sup> which was well attended. The committee chose to leave the hearing open until 4:30pm on Thursday, December 7<sup>th</sup> to allow additional input from residents. Comments may be e-mailed to the Selectmen or dropped off at office to the attention of the Fiscal Study Committee. Final report will be ready sometime in March. Mr. Lebeaux reminded the Board that their evaluation sheets for the Town Manager are due in the office by December 11<sup>th</sup>. The evaluation will be an agenda item at the December 18<sup>th</sup> meeting.
4. Town Manager's Report – Nothing other than what is on the Agenda.

**Meetings:**

5. 7:00pm – Sign BAN Renewal – Treasurer Carolyn Marcotte. Ms. Marcotte was present and advised the Board that she was asking them to sign a thirty day renewal for the Oak Middle School Bond Anticipation Note. Mr. Lebeaux moved to approve the renewal of a \$1,278,307.00 3.80 percent Bond Anticipation Note of the Town dated December 11, 2006 and payable January 11, 2007 to Citizens Bank at par. Motion was seconded and unanimously voted.
6. 7:03pm – Shrewsbury Historical Society – William Yeomans. Mr. Yeomans and Harry Gaston of Gaston Art & Frame, who had framed the maps, were present. Mr. Yeomans advised the Board that through digitizing, the Historical Society was able to reproduce two color maps of Shrewsbury from the originals contained in their archives and they were presenting them to the Town so that visitors to the Town Hall will be able to view them. These and other images may be purchased at the Historical Society. Mr. Lebeaux thanked Mr. Yeomans and the Society for the gift. He asked if the Historical Society would be interested in working on a project to digitalize the early town records. Mr. Yeomans advised that they would. The Society will be contacted after the first of the year. The Historical Commission will be included as well.

**Public Hearings:**

7. 7:05pm – KYHRSLP Corp. d/b/a White City Pizza, 120 Boston Turnpike, Steve Fotiadis, Manager, transfer of Wine & Malt Beverages Pouring License from Anthony F. Siagh & Lori L. Siagh d/b/a White City Pizza. Applicant is also applying for a Common Victualler's License and Lord's Day License. Hours of Operation Monday-Saturday 8:00am to 2:00am, Sunday 11:00am to 1:00am. Atty. Kevin Byrne, Steven Fotiadis, and several members of the Fotiadis family were present. Mr. Byrne advised that Mr. Fotiadis had no plans to change the present operation of White City Pizza and that he had experience in this type of business as his family had formerly owned Dean Park Pizza. Richard Ricker, attorney representing the current owners, was present and joined Mr. Byrne in asking if the Board would consider waiving or prorating the license fee due to the fact that the current license will expire on December 31, 2006 and would have to be paid prior to that date. When the application is approved by ABCC the fee would have to be paid again and it is doubtful that ABCC approval would be received before the end of the year. After a discussion, the Board decided to table the license fee question until the next meeting on December 18<sup>th</sup> as Old Business and proceed with the

hearing. Mr. Lebeaux advised that all department head reports were favorable and opened the hearing to the public. As there was no public comment, motion was made, seconded and unanimously voted to close the hearing. Mr. Card asked that the dumpsters behind the business be closed as they attract seagulls that annoy the parishioners at St. Anne's Church. Motion was made to approve the application of KYHRSLP Corp. d/b/a White City Pizza, 120 Boston Turnpike, Steve Fotiadis, Manager, for transfer of Wine & Malt Beverages Pouring License from Anthony F. Siagh & Lori L. Siagh d/b/a White City Pizza and for a Common Victualler's License and Lord's Day License for the days and hours as stated in the application. Motion was seconded and unanimously approved

8. 7:15pm – DCU Auto, 421 Boston Turnpike, Mo Bayou, Owner, Class II License for the sale of used automobiles. Hours of Operation: Monday-Friday 8:00am to 8:00pm, Saturday 8:00am to 6:00pm, Sunday 12:00 noon to 5:00pm. Mr. Fiore recused himself from the discussion to avoid the appearance of a conflict of interest as he is a Class II license holder. Kevin Byrne, attorney representing Mr. Bayou, asked that the hearing be continued for 30 days to resolve tenancy of the property. Jonathan Finkelstein, attorney representing Select Auto, the current tenant was present and advised that his clients hold a lease on the property which expires in 2008. Therefore, this application is premature as his clients hold a Class II license for the location and they intend to renew their license for 2007. Motion was made, seconded and voted four in favor with one abstention to continue the hearing until 7:15pm on January 22, 2007.

### **Old Business:**

### **New Business:**

9. St. Mary's Syrian Orthodox Church, 1 Industrial Drive, One Day All Alcohol License for New Year's Eve Party, Sunday, December 31, 2006 from 9:00pm to 2:00am, Monday, January 1, 2007. Motion was made, seconded and unanimously voted to approve the application as stated.
10. Pepper's Fine Foods Catering, 43 Hudson Street, Northborough, MA 01532, One Day Wine & Malt Beverages License for Holiday Party at Hoagland-Pincus Conference Center, 222 Maple Avenue, Friday, December 15, 2006 from 6:00pm to 12:00 midnight. Motion was made, seconded and unanimously voted to approve the application as stated.
11. Selectmen's Meeting Schedule – January-June 2007. Motion was made, seconded and unanimously voted to approve the meeting schedule for January-June 2007.

### **Executive Session:**

12. Collective bargaining, pending litigation and value of real property. Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:05pm and not to reconvene for the purpose of discussion of pending litigation and value of real property. The Board was polled, Mr. DePalo, yes, Mr. Fiore, yes, Mr. Card, yes, Mr. McCaffrey, yes, and Mr. Lebeaux, yes.

### **Communications:**

13. Noted copy mailed: E-mail from Bretta Karp, 2 Medieval Road, re School Committee Seat Vote 11-20-06.
14. Noted copy mailed: Letter from Joseph Cariglia, 188 Lincoln Street, Worcester, MA re Winter Maintenance. Mr. Morgado will look into.
15. Noted copy mailed: E-mail from Shrewsbury Public Schools re Community Partnership Meeting.
16. Noted copy mailed: SELCO Meeting Minutes, 10/16/06.
17. Noted copy mailed: ZBA Hearing Minutes, 10/24/06, Omnipoint Communications, Inc. /T-Mobile, 28-40 North Quinsigamond Avenue.
18. Noted copy mailed: ZBA Hearing Minutes, 10/24/06, Top Cat Rentals, LLC, 537 Hartford Turnpike.
19. Noted copy mailed: E-mail from Erin Canzano, 6 Holman Heights Circle, re School Committee.
20. Noted copy mailed: City & Town, Vol. 19, No. 9, November 2006.
21. Noted copy mailed: Municipal Benchmarking Newsletter, November, 2006.
22. Noted copy mailed: Mr. Morgado's response to Mr. Turco re Section 18.
23. Noted copy mailed: Memo from Mr. Morgado re Westborough Wastewater Treatment Plant (WWTP) Upgrade.

24. Noted copy mailed: Westborough Treatment Plant Meeting Minutes, 10/22/06, 10/17/06 & 11/1/06.
25. Noted copy mailed: Central MA Metropolitan Planning Organization Draft Memo of Understanding. Mr. DePalo advised that this is an update on the 2003 Memo of Understanding and reviewed the changes.
26. Noted copy mailed: Mr. Morgado's response to Robert Cosman re Aggregate Industries.
27. Noted copy mailed: ZBA Hearing Agenda, 12/12/06.
28. Noted copy mailed: E-mail from William Bloom, Jr. 121 Worthington Avenue, re firearms license.
29. Noted copy mailed: Planning Board Meeting Agenda, 12/7/06.
30. Noted copy mailed: School Committee Meeting Agenda, 12/6/06.
31. Noted copy mailed: Arc Alert – MBTA's Draft Capital Investment Program for FY07-FY12.

Mr. Card updated the Board on the progress of the construction new fire stations in the center and in Edgemere.

Motion was made, seconded, and unanimously voted to adjourn into executive session at 8:05pm not to reconvene for the purpose of discussing pending litigation and value of real property. On a roll call vote Mr. DePalo, yes, Mr. Fiore, yes, Mr. Card, yes, Mr. McCaffrey, yes, and Mr. Lebeaux, yes.

Respectfully submitted,

Janice C. McCoy  
Secretary